

531 Rec'd PCT/NT

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31 DEC 2001

Customer No. 22,852

Attorney Docket No. 04853.0086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Etsuro OGATA et al. )  
) Group Art Unit: Not assigned  
Serial No.: Not Yet Assigned )  
) Examiner: Not assigned  
Filed: December 31, 2001 )  
)  
U. S. National Phase Application No. )  
PCT/JP00/04414 )  
  
For: THERAPEUTIC AGENT FOR  
DISEASES CAUSED BY PTH  
OR PTHrP

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

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1. Japanese Patent Application No. 4-228089
2. Japanese Patent Application No. 7-165790
3. Japanese Patent Application No. 2-207099
4. Japanese Patent Application No. 7-316195
5. Japanese Patent Application No. 2000-080100
6. Japanese Patent Application No. 11-222440
7. Ikeda, K. "Molecular Biology of Parathyroid Hormone-Related Peptide"

In lieu of a statement of relevance or the translation of the non-English documents, enclosed is an English-language international search report from the Japanese Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed

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documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 31, 2001

By: 

Ernest F. Chapman  
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Enclosures  
EFC/FPD/dvz

10/019571  
OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 04853.0086	Serial No.
Applicant Etsuro OGATA et al.	
Filing Date December 31, 2001	Group: Not assigned

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,849,695	12/15/98	Cohen et al.			

**FOREIGN PATENT DOCUMENTS**

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
WO 92/00753	1/23/92	WIPO/PCT			
0 962 467 A1	12/8/99	Europe			
1 004 313 A1	5/31/00	Europe			
WO 96/03437 A1	2/8/96	WIPO/PCT			
0 293 158	11/30/88	Europe			
7-316195	12/5/95	Japan			Abstract
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2-207099	8/16/90	Japan			Abstract
4-228089	8/18/92	Japan			Abstract
7-165790	6/27/95	Japan			Abstract
WO 92/17602	10/15/92	WIPO/PCT			
WO 96/33735	10/31/96	WIPO/PCT			
0 878 201 A1	11/18/98	Europe			
1 090 643 A1	4/11/01	Europe			
2000-080100	3/21/00	Japan			Abstract
WO 99/57139	11/11/99	WIPO/PCT			
11-222440	8/17/99	Japan			Abstract

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Applicant	Etsuro OGATA et al.		
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Hardman, Joel G., et al., "Goodman & Gilman's The Pharmacological Basis of Therapeutics", Section XIII, Hormones and Hormone Anatgonists, pp. 1528-1529, Ninth Edition.
	Yamamoto, Shigeki et al., "Parathyroid Hormone-Related Peptide-(1-34) [PTHrP-(1-34)] Induces Vasopressin Release from the Rat Supraoptic Nucleus <i>in Vitro</i> through a Novel Receptor Distinct from a Type I or Type II PTH/PTHrP Receptor", Endocrinology, Vol. 138, No. 5, pp. 2066-2072.
	Ikeda, Kyoji, "Molecular Biology of Parathyroid Hormone-Related Peptide", Nihon Rinshou, 53(4), 1995, pp. 37-45.
	Rosen, H. N. et al., "The Effect of PTH Antagonist BIM-44002 on Serum Calcium and PTH Levels in Hypercalcemic Hyperparathyroid Patients", Calcif Tissue Int, 61, pp.455-459 (1997).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce